

## Message Text

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ORIGIN SCI-06

INFO OCT-01 EA-11 ISO-00 NSF-04 L-03 PM-07 NSC-10 SPC-03

SS-20 RSC-01 CIAE-00 DODE-00 INR-10 NSAE-00 PA-04

USIA-15 PRS-01 CEQ-02 EB-11 EPA-04 /113 R

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----- 090224

R 100253Z NOV 73

FM SECSTATE WASHDC

TO AMEMBASSY WELLINGTON

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E.O. 11652: N/A

TAGS: TPHY, TGEN, ENRG, TECH, NZ

SUBJECT: BILATERAL S&T AGREEMENT WITH GNZ

REF: WELLINGTON 2932

1. IN THEIR RECENT MEETING PRESIDENT NIXON AND PRIME MINISTER KIRK AGREED THAT A BILATERAL AGREEMENT BETWEEN THE GNZ AND USG SHOULD BE DEVELOPED FOR THE MUTUAL BENEFIT OF BOTH COUNTRIES. SUCH AN AGREEMENT SHOULD ALLOW FOR COOPERATION IN A BROAD RANGE OF S&T ACTIVITIES, HOWEVER, INITIAL FOCUS AND PRIMARY EMPHASIS WILL POSSIBLY BE IN THE AREA OF ENERGY RESEARCH, IN VIEW OF THE INTEREST OF BOTH COUNTRIES IN THIS AREA. WE ARE INFORMED THAT PRIME MINISTER KIRK HAS A PARTICULAR INTEREST IN SOLAR ENERGY. HOWEVER, WE DO NOT INTEND THAT COOPERATION BE LIMITED TO SOLAR ENERGY OR EXCLUSIVELY TO ENERGY RESEARCH. OTHER SAND T  
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AREAS OF MUTUAL INTEREST SHOULD BE ENCOMPASSED BY THE AGREEMENT.

2. IN ORDER TO MOVE TOWARDS THE CONCLUSION OF A SUITABLE

AGREEMENT, THE DEPARTMENT HAS DEVELOPED THE FOLLOWING  
DRAFT TEXT:

AGREEMENT FOR SCIENTIFIC AND TECHNOLOGICAL COOPERATION  
BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA  
AND THE GOVERNMENT OF NEW ZEALAND

THE GOVERNMENT OF NEW ZEALAND AND THE GOVERNMENT OF  
THE UNITED STATES OF AMERICA,

DESIRING TO ADVANCE THE BOUNDARIES OF KNOWLEDGE  
USEFUL IN IMPROVING MAN'S WELL-BEING AND,

RECOGNIZING THE MUTUAL BENEFITS OF SCIENTIFIC AND  
TECHNOLOGICAL COOPERATION,

HAVE AGREED AS FOLLOWS:

ARTICLE I

THE TWO GOVERNMENTS WILL JOINTLY ESTABLISH AND  
IMPLEMENT A PROGRAM OF SCIENTIFIC AND TECHNOLOGICAL COOPERA  
TION FOR PEACEFUL PURPOSES IN AGREED AREAS OF MUTUAL  
INTEREST, AND EXPECIALLY IN THE AREA OF ENERGY RESEARCH.

ARTICLE II

COOPERATIVE ACTIVITIES SHALL BE THE SUBJECT OF SUCH  
SPECIFIC ARRANGEMENTS AS MAY BE DEEMED APPROPRIATE.

ARTICLE III

SCIENTIFIC AND TECHNOLOGICAL COOPERATION UNDER  
THIS AGREEMENT MAY TAKE SUCH FORMS AS MAY BE DEEMDED  
APPROPRIATE, INCLUDING BUT NOT LIMITED TO:

A. JOINT OR COORDINATED PLANNING, SUPPORT OR  
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IMPLEMENTATION OF PROJECTS;

B. EXCHANGE OF SCIENTIFIC AND TECHNOLOGICAL  
INFORMATION SUBJECT TO THE PROVISIONS OF ARTICLE V OF  
THIS AGREEMENT;

C. ESTABLISHMENT, OPERATION AND UTILIZATION OF  
SCIENTIFIC AND TECHNICAL INSTALLATIONS RELATING TO  
INDIVIDUAL PROJECTS;

D. EXCHANGE OF SCIENTIFIC AND TECHNICAL PERSONNEL  
RELATING TO PROJECTS OR COOPERATIVE ACTIVITIES UNDER THIS

AGREEMENT.

ARTICLE IV

THE SUPPORT OF COOPERATIVE ACTIVITIES UNDER THIS AGREEMENT SHALL BE AS AGREED TO IN THE SPECIFIC ARRANGEMENTS REFERRED TO IN ARTICLE II AND SHALL BE SUBJECT TO

THE AVAILABILITY OF FUNDS. IN GENERAL EACH GOVERNMENT WILL BEAR THE COSTS FOR DISCHARGING ITS RESPONSIBILITIES IN COOPERATIVE ACTIVITIES.

ARTICLE V

A. SCIENTIFIC AND TECHNOLOGICAL INFORMATION OF A NON-PROPRIETARY NATURE RESULTING FROM COOPERATION UNDER THIS AGREEMENT WILL BE MADE AVAILABLE TO THE WORLD SCIENTIFIC COMMUNITY THROUGH CUSTOMARY CHANNELS AND IN ACCORDANCE WITH NORMAL PROCEDURES.

B. THE DISPOSITION OF ANY PATENTS, KNOW-HOW AND OTHER PROPRIETARY PROPERTY DERIVED FROM THE COOPERATIVE ACTIVITIES UNDER THIS AGREEMENT WILL BE PROVIDED FOR IN THE SPECIFIC ARRANGEMENTS REFERRED TO IN ARTICLE II.

ARTICLE VI

A. EACH GOVERNMENT SHALL FACILITATE, CONSISTENT WITH LAW, THE ENTRY INTO AND EXIT FROM ITS TERRITORY BY LIMITED OFFICIAL USE  
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SCIENTIFIC AND TECHNICAL PERSONNEL ENGAGED IN COOPERATIVE ACTIVITIES UNDER THIS AGREEMENT, AS WELL AS THEIR FAMILIES.

B. EACH GOVERNMENT SHALL FACILITATE, CONSISTENT WITH LAW, THE ENTRY AND EXIT OF EQUIPMENT AND MATERIAL TO BE UTILIZED IN COOPERATIVE ACTIVITIES UNDER THIS AGREEMENT, AS WELL AS THE PERSONAL EFFECTS OF SCIENTIFIC AND TECHNICAL PERSONNEL AND OF THEIR FAMILIES..

ARTICLE VII

EACH GOVERNMENT SHALL DESIGNATE AN EXECUTIVE AGENT RESPONSIBLE FOR THE COORDINATION AND FACILITATION OF COOPERATIVE ACTIVITIES UNDER THIS AGREEMENT. THESE AGENCIES SHALL CONSULT WITH A VIEW TO DEVELOPING SUCH COOPERATIVE ACTIVITIES.

ARTICLE VIII

EXISTING ARRANGEMENTS AND AGREEMENTS BETWEEN THE

GOVERNMENTS RELATING TO COOPERATING IN SCIENCE AND TECHNOLOGY SHALL NOT BE AFFECTED BY THIS AGREEMENT. HOWEVER, THEY MAY BE INCORPORATED INTO THE FRAMEWORK OF THIS AGREEMENT AS MAY BE AGREED BY THE GOVERNMENTS.

ARTICLE IX

NOTHING IN THIS AGREEMENT SHALL PRECLUDE OR PREJUDICE SCIENTIFIC AND TECHNOLOGICAL COOPERATION BY NATIONALS OF NEW ZEALAND AND THE UNITED STATES OF AMERICA OUTSIDE OF THE PROVISIONS OF THIS AGREEMENT.

ARTICLE X

SCIENTIFIC AND TECHNICAL PERSONNEL, AGENCIES, ORGANIZATIONS AND INSTITUTIONS OF THIRD COUNTRIES MAY BE INVITED TO PARTICIPATE IN PROJECTS AND COOPERATIVE ACTIVITIES UNDER THIS AGREEMENT WITH THE MUTUAL APPROVAL OF THE GOVERNMENTS OF NEW ZEALAND AND THE UNITED STATES.

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ARTICLE XI

THIS AGREEMENT SHALL ENTER INTO FORCE ON SIGNATURE.

ARTICLE XII

THIS AGREEMENT SHALL REMAIN IN FORCE FOR FIVE YEARS UNLESS TERMINATED BY NOTICE GIVEN IN WRITING BY EITHER GOVERNMENT TWELVE MONTHS IN ADVANCE OF ITS EXPIRATION DATE.

DONE AT THIS----- DAY OF -----IN DUPLICATE  
IN THE ENGLISH LANGUAGE

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA

FOR THE GOVERNMENT OF NEW ZEALAND

3. EMB IS REQUESTED TO DELIVER OUR DRAFT AGREEMENT TO THE GNZ AD REFERENDUM AS A SUGGESTED TEXT AND INVITE GNZ COMMENT. FYI: DEPT IS MAKING TEXT AVAILABLE TO NZ EMB IN WASHINGTON. END FYI.

4. EMB IS ALSO REQUESTED TO MAKE FOLLOWING POINTS TO THE GNZ:

A. WE INVITE GNZ REACTION AND COMMENT ON OUR DRAFT, TEXT IS AD REFERENDUM ONLY.

B. WE WOULD WELCOME THOUGHTS OF GNZ RE SPECIFIC  
AREAS OF COOPERATION THAT MAY BE INCLUDED UNDER  
AGREEMENT.

C. WE WOULD BE PREPARED AT AN APPROPRIATE TIME TO  
CONSULT WITH REPRESENTATIVES OF THE GNZ S&T  
AGENCIES OR INSTITUTIONS WITH A VIEW TO IDENTIFYING  
AND DEFINING POSSIBILITIES FOR SPECIFIC COOPERATION  
IN AREAS OF MUTUAL INTEREST. RUSH

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 11 MAY 1999  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** SCIENTIFIC COOPERATION, RESEARCH & DEVELOPMENT AGREEMENTS, SOLAR POWER, DIPLOMATIC DISCUSSIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 10 NOV 1973  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** garlanwa  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1973STATE222471  
**Document Source:** ADS  
**Document Unique ID:** 00  
**Drafter:** SCI/SA:AERICHMOND,JR:LTG  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** n/a  
**Film Number:** n/a  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1973/newtext/t19731167/abqcejsj.tel  
**Line Count:** 228  
**Locator:** TEXT ON-LINE  
**Office:** ORIGIN SCI  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 5  
**Previous Channel Indicators:**  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** WELLINGTON 2932  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** garlanwa  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 31 JAN 2002  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <31-Jan-2002 by boyleja>; APPROVED <06 MAR 2002 by garlanwa>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** BILATERAL S&T AGREEMENT WITH GNZ  
**TAGS:** TPHY, TGEN, ENRG, TECH, NZ, US, (NIXON, RICHARD M), (KIRK, NORMAN E)  
**To:** WELLINGTON  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005